

# **Ukraine's progress in implementation of 20 Eastern Partnership deliverables for 2020**

**Monitoring report  
by the Ukrainian National Platform  
of the Eastern Partnership Civil Society Forum**

**September 2019 – September 2020**





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In 2020, experts of the Ukrainian National Platform of the Eastern Partnership Civil Society Forum (UNP EaP CSF) analyzed the implementation of 20 expected deliverables of the Eastern Partnership for the period from September 16, 2019, to September 1, 2020. Since 2017, UNP EaP CSF has prepared an annual monitoring report "Ukraine's implementation of 20 Eastern Partnership deliverables for 2020". The platform's experts analyze the trends in Ukraine's achievement of the deliverables, paying special attention to institutional and procedural changes, openness and inclusiveness of the process. In addition to monitoring, the experts offer their recommendations for enhancing the effectiveness and efficiency of achieving the 20 main goals of the Eastern Partnership, which creates an additional practical dimension for the institutions involved in the decision-making process.

The Ukrainian National Platform of the Eastern Partnership Civil Society Forum (<http://eap-csf.org.ua/>) is a network of more than 140 non-governmental organizations in Ukraine that defends Ukrainian interests within the framework of the Eastern Partnership. The platform is part of the Eastern Partnership Civil Society Forum (EP CSF).

The Eastern Partnership Civil Society Forum (<https://eap-csf.eu/>) is a unique multi-level regional civil society platform to promote European integration, promoting reforms and democratic transformation in the six Eastern Partnership countries - Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine. As a civic element of the Eastern Partnership, the EaP CSF seeks to strengthen civil society in the region, increase pluralism in public discourse and politics by promoting participatory democracy and fundamental freedoms. EaP CSF is a non-partisan charity non-governmental organization.

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## FOREWORD

The Ukrainian National Platform of the Eastern Partnership Civil Society Forum (UNP EaP CSF) prepared the final annual monitoring of Ukraine's implementation of the 20 deliverables of the Eastern Partnership by 2020.

That is the fourth annual snapshot of successes in implementing the deliverables proposed in 2017 to guide the medium-term outlook in the EU's relations with partner countries.

The level of deliverables' implementation by both the Ukrainian government and the national governments of Azerbaijan, Armenia, Belarus, Georgia and Moldova should be a marker for European institutions in their approaches in forming a new horizon of common goals and objectives by 2025.

This study has several features compared to previous annual monitoring. First, the study forms a kind of finish line as of September 2020, which shows where the Ukrainian side has made progress, and where the deliverables were excessive or unimportant for Ukraine.

Second, the UNP EaP CSF experts offered their proposals for a new framework document in the context of the thematic priorities of the previous deliverables horizon.

Third, such monitoring has traditionally been the product of cooperation between the Ukrainian National Platform and the Government Office for Coordination of European and Euro-Atlantic Integration, which may indicate the continued synergy of state and non-governmental institutions concerned with Ukraine's accession to the EU.

We hope that our developments will help Eastern Partnership policymakers in Brussels, representatives of relevant government institutions, independent researchers and scholars.

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## OVERVIEW AND RECOMMENDATIONS

The monitoring of Ukraine's implementation of the "20 deliverables of the Eastern Partnership by 2020" takes place in exceptional pan-European circumstances and domestic political conditions in Ukraine, which should be addressed at the beginning of our study. Through the prism of the environment in which the Ukrainian authorities implement the Eastern Partnership goals, it is possible to draw a general picture of progress in each of the selected domains.

We should first focus on the **European context**. Thus, first of all, 2020 is the final year in the implementation of this roadmap, which was officially adopted at the Eastern Partnership Summit in Brussels in November 2017. It should be kept in mind that the Eastern Partnership policy is tied as an integral part of the European Neighborhood Policy to the financial instruments of the EU framework seven-year budget for the period 2014-2020. Though the deliverables by 2020 were introduced only in 2017, they cannot go beyond the instruments of the financial framework of 2020. Therefore, the funding of programs and initiatives within the framework of deliverables is coming to an end. That gives an excellent opportunity to look at the combination of strategic and operational components of implementing this roadmap.

After fierce political battles within the EU, a compromise was reached on the timely launch of the new EU budget for 2021-2027, which in turn launches a new foreign policy Instrument for Neighborhood, Development and International Cooperation (NDICI). This tool demonstrates Brussels' new approach to foreign affairs and cooperation with third countries, which, according to the developers, is designed to guide and simplify work with partners. First of all, that is done by merging ten existing external financial funds of the EU and the European Development Fund under one "umbrella". At the stage of promoting such an initiative by European institutions, adherers of the Eastern Partnership, including Ukraine, tried to defend the separate existence of the European Neighborhood Instrument (ENI), which covered the

Eastern Partnership policy. There were fears (quite justified) of a decline in the EU's political interest in the region and the new policy horizon's ambition and attractiveness for partner countries. Today, the European Neighborhood is one of the Instrument's geographical divisions, with estimated resources of around € 19.2 billion.

The new instrument focuses more on achieving common global and European goals agreed with partners, including the Sustainable Development Goals, the 2030 Agenda, and the Paris Agreement. Already at this stage, we can say that the approaches to building new medium-term plans of the Eastern Partnership will be different from current European initiatives.

On the other hand, in 2019, the European External Action Service launched a structured consultation with stakeholders inside and outside the EU regarding how to reform the Eastern Partnership policy. In March 2020, there was a Joint Communication between the European Commission and the EU High Representative for Foreign Affairs and Security Policy "Eastern Partnership Policy after 2020: Reinforcing Resilience - an Eastern Partnership that delivers for all". The document builds on the proposals received during the consultations and identifies priorities for medium-term development. This communication also launched the preparation of a new package of achievements of the Eastern Partnership. The importance of assessing the implementation of deliverables by 2020 when building a new horizon can also be confirmed by the fact that the Annex to the Communication contains a report on 20 deliverables implementation by six partner countries as of February 2020.

The Eastern Partnership Summit in June 2020 was expected to officially launch work on the new one. However, due to the coronavirus pandemic, the physical summit was postponed to March 2021. It is planned to be held in Brussels during Portugal's presidency of the EU Council.

From the second half of 2020, during the German presidency, technical work began on intergovernmental platforms and thematic panels

to develop concrete proposals. Against this background, forming a general picture of the 20 deliverables' implementation can help adjust the current thematic priorities and introduce new initiatives.

But if most of the planned steps of the European institutions are still promising, then the **domestic political context** directly determines how we come to the finish line of implementation of the goals of the Eastern Partnership roadmap until 2020.

It should start with the fact that most of the 20 priorities of the Eastern Partnership have managed to maintain continuity in reforms and initiatives implemented during the previous presidential and government teams. National strategies and programs were developed to implement the reform agenda in areas that meet the Eastern Partnership's specific objectives in Ukraine. That added a cumulative effect and structured the process. In this context, an important point that allows looking at the success of the tasks is the completion in 2020 of the national medium-term strategies, which thematically corresponded to Ukraine's commitments under the document mentioned above.

An additional positive lever that influenced the implementation of the Eastern Partnership's deliverables is the thematic interweaving and overlapping of the Association Agreement of Ukraine and 20 Eastern Partnership's deliverables for 2020. Therefore, the work on the implementation of the Agreement also allowed Kyiv to achieve additional tasks.

However, at the turn of 2019-2020, the coming to power of V. Zelensky and his team was accompanied by several ambiguous steps in the sphere of European integration. In particular, attempts to reduce public mentions of European integration as a foreign policy course and the formation of O. Honcharuk government program being unfocused on the main guidelines of Ukraine's integration with the EU have accordingly affected the implementation of the Eastern Partnership goals.

Besides, the usual rhythm of work on specific reforms, including those stipulated in the "20 deliverables for 2020", was interrupted during the sudden government change in March 2020. This factor was pointed out as unfavorable by several experts who were engaged in the current thematic monitoring.

The social and economic crisis in Ukraine caused by the pandemic has reoriented both the thematic and resource areas of government institutions' focus in 2020. The same approach was observed in some EU programs in Ukraine, which refocused resources on combating COVID-19. Accordingly, the change of emphasis affected the dynamics of the implementation of the Eastern Partnership policy goals.

### What has been done?

In general, experts note that of the 20 deliverables of the Eastern Partnership, Ukraine has managed to implement 4 of them almost in full, while others are still implementing.

The most remarkable progress has been made, in particular, in the sections "Gaps in access to finance and financial infrastructure", "Security cooperation", "Research and innovation". This positive track is explained by a wide range of proposals from the EU in the roadmap "20 deliverables for 2020", among which Ukraine could choose and adapt certain areas according to its priorities on the internal agenda.

The direction named "Eastern Partnership European School", despite the high mark, can hardly be considered through the prism of Ukraine's fulfilment of this task. Instead, it is a question of the general level of realization of the specific goal of the EU in the field of formation of educational and academic initiatives of the Eastern Partnership. In general, at the level of **intersectoral achievements**, we can note the progress on gender issues, which is the cornerstone of the Association Agreement (AA) between Ukraine and the EU and has a positive practice of implementation at the government level decisions.

Strengthening structured interaction with civil society in Ukraine had its peculiarities. Although the Eastern Partnership Civil Society Forum continues to support the Ukrainian National Platform, the completion of the EU Civic Synergy project without further extension has significantly reduced the expertise and advocacy capacity of civil society organizations in Ukraine in dialogue with the authorities. That, in turn, harmed the dynamics of joint activities between the government and the public.

Also, against the background of a change in the political team in Ukraine, strategic communication in promoting European integration has undergone negative changes, despite significant support from the EU. The position of private media channels against political processes contributed to the distortion of public opinion regarding the support of integration processes with the EU (for example, according to some polls, in December 2019, 60% of Ukrainians supported EU accession, and in April 2020 - 46.1%). And all this is happening amid declining resource and political support for Public Broadcasting and ambiguous legislative initiatives to combat misinformation.

In the thematic sections, the **block of economic and financial cooperation with the EU** in the Eastern Partnership's deliverables' framework is traditionally marked by a strong Ukraine's involvement. Naturally, the high interest in the region is explained by the possibility of access to specific financial and resource programs and the low level of dependence of implementation on political influence.

Cooperation with the EU on developing mechanisms to support local development, access to EU finances and support for SMEs can be assessed positively. In the development of small and medium-sized enterprises and business environment, Ukraine is improving its capacity to cooperate with the EU and is actively participating in SME support programs. However, there is unrealized potential for further diversification of approaches to financial cooperation. Also, access to EU financial resources of Ukrainian entities is not transparent at the moment.

The rich digital agenda between Ukraine and the EU had a positive dynamics in a wide range of topics: from broadband Internet access to the provision of public e-services and the introduction of e-commerce between the EU and Ukraine. However, issues remain in the field of cybersecurity.

Ukraine's trade relations featured positive developments, given the active implementation of the Deep and Comprehensive Free Trade Area (DCFTA) and Ukraine's readiness for enhanced economic integration with the EU. However, there were attempts to undermine the economic movement in the EU, or at least slow it down. From time to time, protectionist legislative drafts appear, such as requiring localization in public procurement, which does not meet the AA commitments.

In the further implementation of local self-governance reform, Ukraine focuses on European practices - regional development strategies are currently being prepared based on smart specialization in all Ukraine regions.

The thematic priority for **the development of institutions and good governance** in Ukraine, on the contrary, is characterized by rather mediocre results, despite the significant amount of work done. The implementation of these achievements strongly depends on the political will and the circumstances. For example, Ukraine has created a robust institutional framework for anti-corruption activities, which has improved even during our monitoring period. At the same time, problems arise at the level of regulatory support and inconsistencies in procedural and personnel issues.

In 2020, the work on judicial reform did not meet the stated indicators. Given the lack of political will, the judiciary itself, through "self-government" mechanisms, blocked resetting judicial governing bodies (HQCJ and SCJ) with independent international experts' participation.

The reform of the public service of Ukraine has become a major one. It has brought several positive changes in ensuring the formation of a professional competitive personnel policy on a competitive basis. The vast majority of the Public Administration Reform Strategy indicators in Ukraine until 2021 were achieved in 2019 (11 out of 17 indicators). However, 2020 also showed an increase in politicization and manual management of staff selection for positions that should be filled on a competitive basis.

The implementation of the thematic priority **Connectivity, energy efficiency and the environment** also had positive and negative aspects in 2020.

The new Law of Ukraine "On Concession", adopted in 2019, harmonized legislation and procedures, which allowed the first concession agreements for Ukrainian ports (Olvia and Kherson). However, the government did not prepare enough project feasibility studies to implement TEN-T projects more effectively and attract external funding.

In the reporting period, Ukraine showed high progress in implementing measures to improve energy security and form long-term energy policy in line with the European Green Deal. However, due to domestic political reasons, this progress has

decreased significantly, affecting the implementation trends. Similar processes were observed in the implementation of energy efficiency policy and RES development. At the beginning of 2020, Ukraine presented the concept of a national green energy transition, which was used as a basis for determining Ukraine's second national defined contribution to the Paris Climate Agreement. However, the change of government hurt the work prioritization in these areas.

Climate change adaptation and environmental protection in Ukraine are currently not supported by a clear institutional reform plan. Despite some achievements, the implementation potential remains weak and volatile, and the state's environment and climate policy itself is not sustainable. Climate documents planned for 2019-2020 have not been adopted.

**Mobility and people-to-people contacts** as a thematic area of cooperation have become a direct hostage to the coronavirus pandemic, global and regional restrictive and quarantine measures, and the effects of the economic and social crisis. The introduced restrictive measures exposed the issues of border management, the administration policy of external labor migration and the implementation of the reintegration policy of Ukraine.

However, despite temporary physical limitations, Ukrainian participants actively engaged in implementing tasks in youth, education, skills development and culture. EU4Youth and EU4Skills and Erasmus+ have actively promoted the mobility and quality of formal and non-formal learning and skills development. There was a positive trend in the Ukrainian participation in the "Creative Europe" initiatives, the mobility program for artists "i-Portunus", in the projects named after Marie Skłodowska Curie. Providing equal opportunities for young people from rural areas and areas affected by the armed conflict remains an obstacle to deepening integration.

### **What could be the new horizon of the Eastern Partnership by 2025?**

The preparation of a new medium-term policy framework for the Eastern Partnership is taking place in a complex global crisis that directly determines this issue's priority on official Brussels' agenda.

Germany's presidency of the Council of the EU has shown no political interest in a thorough involvement in the eastern dimension of the neighborhood. At the program level, Berlin has diplomatically redirected the Eastern Partnership to the first half of 2021 during the Portuguese presidency. However, this preliminary schedule for the physical summit may be unrealistic due to the continuation of the pandemic and respective restrictive measures in the world and the region. In the most pessimistic timeline scenario, a full-fledged summit could be postponed to 2022 during the Czech presidency of the EU Council.

The reduced "ambition" of the new potential roadmap for the Eastern Partnership until 2025 can already be seen in the documents adopted in the spring of 2020 by the European Commission (March) and the European Council (May). The prospect of EU membership, common integration spaces, access to EU structural funds, the establishment of effective security cooperation - is still deliberately kept on the sidelines of EU institutions.

There is no response among European diplomats regarding the expansion of the Eastern Partnership policy tools due to the differentiation of policies towards more advanced partners with expanded program opportunities (the so-called Eastern Partnership+).

However, it would be wrong to speak only about lost interest in the eastern neighbors' affairs by the EU and individual Member States. The socio-political situation in the partner countries themselves also provides grounds for reservations and restraint.

In 2020, Belarus rolled back a decade in terms of human rights, and thus slowed down the discussion on the modalities for further building structured cooperation within the Eastern Partnership. Despite the significant intra-European activity, Brussels has proved to be a relatively weak player in Belarus and quite clumsy in shaping the appropriate response to freedoms' curtailment.

The sad truth is that the EU did not have enough political weight during the attempts to resolve the Azerbaijani-Armenian war in autumn 2020. It will continue to affect both Baku and Yerevan's perception of the EU's relevance as a moderator or partner in even those bilateral formats of relations that currently operate or are being negotiated.

Despite its general pro-European orientation, Georgia also threw a nasty surprise at the results of the 2020 parliamentary elections, when opposition parties did not recognize the vote results and boycotted the legislature. Pro-government political parties are unlikely to manage to distance themselves from the consequences of political manipulation and return to business as usual with the EU.

After the presidential election, Moldova is slowly entering 2021 as the year of political transformation and turbulence, a period of difficult democratic transformation, amid pro-Russian forces' attempts to maintain their influence.

Ukraine is no exception in the list of Eastern Partnership partners who express dissatisfaction with the Eastern Partnership's policy, but, at the same time, mend the fire on issues of values and political will. On the one hand, Kyiv legitimately demands strengthening sectoral integration and recognizing the implementation successes. On the other, it demonstrates inconsistent and ineffective policies in ensuring the results' sustainability in judicial reform and anti-corruption. All this is against the background of declining comparative indicators of the Association Agreement's implementation between Ukraine and the EU. It is possible that the next government changes in the country may lead to negative dynamics in the implementation of Ukraine's commitments to the EU, which will cause a chain reaction and change the scenery of political relations between Kyiv and Brussels.

Be that as it may, the situation in the six partner countries indicates that the neighboring countries' expectations regarding the Eastern Partnership policy's potential strengthening are meagre in the foreseeable future. It would not be an exaggeration to assume that Ukraine, which has the potential to be a regional leader in the Eastern Partnership, has not yet demonstrated a strong position in this area. Instead, it is ready to initiate and support the partners' positions that do not require active diplomatic offensive work. However, for the sake of objectivity, it should be noted that the traditional allies of Ukraine, Georgia and Moldova, are now trapped in domestic political vices, concerned about domestic political processes and willing to pay less attention to regional coalition initiatives.

### Structure and content of the future document of the Eastern Partnership until 2025

In the second half of 2020, during the German presidency of the Council of the EU, the European institutions began active work on forming the thematic content of the new roadmap of the Eastern Partnership. During the meeting of Eastern Partnership's intergovernmental platforms and panels, working and expert groups, new directions and strengthening of the existing goals were proposed due to their concretization and resource content.

Of course, the future medium-term perspective of the Eastern Partnership depends on the political will to form sustainable mechanisms for cooperation and reward for the clear implementation of sectoral areas of integration. The researchers involved in this study have repeatedly pointed out the current document's structural weak points during previous monitoring reports.

Common problems that accompany the implementation of a significant part of the proposed 20 deliverables of the Eastern Partnership are low level of coordination and information support of initiatives, lack of mid-term audits of the success of proposed projects, and low measurability of the final product.

The absence of the other five country reports (Azerbaijan, Belarus, Armenia, Georgia and Moldova) on implementing the deliverables does not allow to compare the partner countries' progress in implementing the roadmap on one methodological basis.

Therefore, the EU and partner countries' more coordinated work on the preparation of unified reports on the results and implementation of deliverables should become an innovation of an organizational nature. Homework for each partner country, especially for Ukraine implementing a broad reform agenda, is to bring to a common denominator the basis of national development strategies and programs and sectoral reforms, their compliance with the requirements of the Association Agreement, as well as opportunities and resources provided under Eastern Partnership policy.

Ukraine and its partners, notably Georgia and Moldova, should actively pursue bilateral and multilateral political consultations on the future content of the new five-year policy framework, which

should now be discussed at the level of European institutions and between the individual Member States. Existing regional mechanisms where EU members are present should also be used for this purpose. An interesting and practically significant initiative, which will be present in the new document of the Eastern Partnership, will be the European Green Deal. Ukraine has already agreed on active consultations on participation in the implementation of the agreement. Therefore, Kyiv can act as a leader of the Eastern Partnership's countries in determining the modalities of participation in the agreement, the formation of appropriate financial support for the implementation of measures under the European Green Deal.

The Ukrainian National Platform of the Eastern Partnership Civil Society Forum in informational cooperation with the Government Office for Coordination of European and Euro-Atlantic Integration has prepared several thematic proposals for meaningful improvement of the new Eastern Partnership horizon. These proposals can be used as a basis for general thematic and narrow consultations with foreign stakeholders.

That can be further evidence of constructive cooperation between the government and civil society in defending Ukraine's European ambitions and regional leadership potential.

CROSS-CUTTING DELIVERABLES		
1	Structured interaction with civil society	++
2	Gender equality and non-discrimination	++
3	Strategic communications, plurality and independence of media	++
ECONOMIC DEVELOPMENT AND MARKET OPPORTUNITIES		
4	Small and medium-sized enterprises and business environment	++
5	Gaps in access to finance and finance infrastructure	+++
6	New job opportunities at the local and regional level	++
7	Harmonization of digital markets	++
8	Implementation of the DCFTA	++
STRENGTHENING INSTITUTIONS AND GOOD GOVERNANCE		
9	Rule of law and anti-corruption mechanisms	++
10	Implementation of key judicial reforms	++
11	Implementation of public administration reform	++
12	Security cooperation	+++
CONNECTIVITY, ENERGY EFFICIENCY, ENVIRONMENT		
13	Extension of the TEN-T core networks	++
14	Energy supply security	++
15	Energy efficiency, use of renewable energy and reducing greenhouse gas emissions	+
16	Environment and adaptation to climate change	++
MOBILITY AND PEOPLE-TO-PEOPLE CONTACTS		
17	Visa liberalization and mobility partnerships	++
18	Young people's skills, entrepreneurship and employability	++
19	Eastern Partnership European School	+++
20	Research and innovation	+++

+++ – fulfilled

++ – under implementation

+ – weak progress



# CROSS-CUTTING DELIVERABLES

## 1. STRUCTURED INTERACTION WITH CIVIL SOCIETY

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### I. Description of implementation

In general, the number of public organizations in Ukraine is growing. As of January 1, 2020, 88,882 were officially registered. Compared to last year, they increased by almost four thousand. Public organizations take care of various social and humanitarian issues and have a high public trust level. According to the survey, 41% of respondents rather trust NGOs, 5.9% trust completely. A high level of trust is maintained in volunteer organizations (38.5%). In particular, 46.6% of respondents rather trust, and 16.3% of citizens fully trust their activities (Democratic Initiatives Foundation, 2020).

In 2020, the National Strategy for Civil Society Development in Ukraine for 2016-2020, approved by the Decree of the President of Ukraine, will be completed. A new draft document and implementation plan are being developed. The new strategy's effect can be envisaged until 2025, and member organizations of the Ukrainian National Platform of the EaP CSF are also involved in developing the document.

Simultaneously, independent monitoring studies indicate an unimpressive level of implementation of the Strategy for the development of CSOs, cooperation with the authorities. Thus, out of 41 objectives of the Strategy, six can be considered fulfilled, 11 - partially fulfilled, 24 not fulfilled (Council of Europe project "Promoting citizen participation in the democratic decision-making process in Ukraine" in cooperation with the NGO "Laboratory of Legislative Initiatives", 2020).

During 2020, the state implemented several measures that improve cooperation with CSOs, contributing to increased sustainability. For example, competitive procedures for state funding for CSOs

for people with disabilities have been introduced from the state budget. Procedures for CSOs providing social services have been improved. Simplified procurement opportunities have been embedded in the Law of Ukraine on Public Procurement for CSOs financed from state and local budgets.

In 2020, the requirement for anti-corruption activists to submit electronic declarations was declared unconstitutional. Simultaneously, there has been an increase in attacks on activists: in April 2020, 8 cases; cases are being investigated improperly. Legislative initiatives are being put forward in the Verkhovna Rada that could significantly worsen the legal environment for CSOs.

In Ukraine, there is a dialogue between the Eastern Partnership Civil Society Forum and the Ukrainian National Platform (almost 150 organizations), the Ukrainian National Platform and the government; the Association Agreement was evaluated in various areas. The project "Support to the activities of UNP EaP CSF" is being implemented to support working groups' activities. In the summer of 2020, a Project Supervisory Board was established to monitor and coordinate the work.

At the same time, systematic work requires constant communication, measures to increase the Ukrainian national platform's resilience, and deepen communication.

### II. Special attention

The situation's assessment shows that policies for the development of cooperation between the state and civil society organizations in the provision of social, analytical, legal and other services remain relevant for CSOs today. Other critical issues include promoting the legal framework that would facilitate NGOs' activities, improving the conditions of financial support to CSOs, developing an open and transparent framework for funding of CSO program initiatives by the state, and increasing the institutional capacity of CSOs.

### III. Proposals for a new document by 2025

- Support for deepening cooperation of CSOs of the Eastern Partnership, support and development of initiatives for platforms of Ukraine, Moldova, and Georgia for the implementation of the Association Agreements.
- Developing CSO cooperation with governments in the development agenda and deepening dialogue on the advance of local democracy, good governance, European integration, and human rights.
- Deepening the work of the Eastern Partnership Civil Society Forum's working groups, particularly on integrated security issues, increasing the level of social resilience in combating hybrid threats for the Eastern Partnership region.
- Facilitating the implementation of CSO monitoring initiatives to analyze progress in the implementation of Association Agreements in the Eastern Partnership countries.
- Promoting the development of new competencies of CSOs in the field of implementation of projects on digital literacy, exchange of best practices of socially oriented initiatives aimed at ensuring human rights.

### IV. Assessment: ++

## 2. GENDER EQUALITY AND NON-DISCRIMINATION

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### I. Description of implementation

In Ukraine during 2017-2020, several legislative and regulatory acts were adopted to ensure gender equality, gender legal examination of legislation and draft regulations, implementation and application of a gender-oriented approach in the budget process, gender impact assessment of sectoral reforms and other. The gender approach is integrated into several strategic documents, particularly in the Sustainable Development Goal of Ukraine by 2030,

the State Strategy for Regional Development for 2021-2027, Poverty Reduction Strategies, Public Financial Management System Reform, Small and Medium Business Development and Action Plans implementation. Moreover, in 2020, gender mainstreaming in the development of regulations is enshrined in the Ministry of Social Policy's order.

In 2020, Ukraine joined the Biarritz Partnership for Gender Equality. The new Electoral Code introduces 40% quotas for women for the first time. Work has begun on a new national action plan to implement the UN Security Council Resolution 1325 "Women, Peace, Security", which will be developed according to a results-based management methodology.

Among other achievements, the national gender mechanism has been strengthened. In particular, at the ministries and regional state administrations, staff and freelance gender advisers have been appointed. The Office of the Government Commissioner for Gender Policy has been established. A coordination mechanism has been established with contributing countries, international and non-governmental organizations (contributing working group). Besides, the availability of gender-sensitive data has been improved. Thus, in 2018, 25 oblast gender profiles and gender profiles of individual communities were prepared and are currently being updated.

As part of the EU4Business initiative, a network of 15 Business Information Support Centers was organized in all regions of Ukraine. In particular, the Women in Business program provides training, consulting services and loans to companies run by women. The EU4Youth initiative offers 150 grants to young IDPs to build agricultural startups. However, it is currently difficult to determine these programs' results, especially given the challenges posed by COVID-19. To overcome the epidemic's effects, the EU has mobilized an emergency aid package of more than 190 million euros for Ukraine. Of this amount, the largest share will go to support SMEs. Under EU4Business, some of the programs had to be adjusted to address the effects of the crisis.

### II. Special attention

The issue of ratification of the Istanbul Convention remains in the area of special attention. It is also necessary to adopt the State Social Program

to Prevent and Combat Domestic Violence and Gender-Based Violence until 2023 (the concept has now been approved).

Following the local elections, gender monitoring of women's representation in local self-government bodies and strengthening the national gender mechanism at the community level are also important.

As in previous years, the focus should be on integrating a gender approach into sectoral reforms and assessing their gender impact.

### III. Proposals for a new document by 2025

The goal "Gender Equality and Non-Discrimination" implementation contributed to implementing the Association Agreement between Ukraine and the EU. Gender issues are included in the agenda of the entire process of implementing the Association Agreement between Ukraine and the EU, Ukraine-NATO partnership, is an essential component of Ukraine's cooperation with all international partners. Joining the Biarritz International Partnership also poses new challenges: the development of barrier-free public space, friendly to families with children and low-mobility groups; teaching children the principles of equality between women and men; prevention of violence; reducing the pay gap between women and men; creating greater opportunities for men to care for children. These issues are particularly relevant in the context of COVID-19. Given that the pandemic effects have a disproportionately greater negative impact on women, among the new objectives in the new framework document, it is essential to pay attention to assessing the gender impact of policies and measures to address the effects of the crisis.

### IV. Assessment: ++

## 3. STRATEGIC COMMUNICATIONS, PLURALITY AND INDEPENDENCE OF MEDIA

### I. Description of implementation

It should be noted that the tremendous success in four years was the consolidation of all communication efforts by the EU under a single brand, rules and goals. However, despite the consolidated communication policy of EU projects in Ukraine and the separate communication program Moving Forward Together, media discourse on the EU is significantly influenced by some media resources (both traditional and new media). Unfortunately, the development of opposite positions affects the reduction of support for the European vector by the citizens of Ukraine. The main narrative here is the thesis of "external governance" of Ukraine by the West, which is very detailed at the sectoral level, when it comes to, in particular, the Association Agreement in general, visa-free regime, tariff reform, security standards reform and more.

The legislative drafts prepared under the auspices of the Ministry of Culture, Youth and Sports - on combating misinformation and on the media (audiovisual services) – were the most resonant in ensuring media plurality and independence. On the one hand, these legislative initiatives introduced mechanisms for accountability for manipulating information required under the so-called "hybrid war". The draft law on media was also developed as part of the adaptation of Ukrainian legislation to the Audiovisual Media Services Directive (AVMSD) requirements for the AA implementation. On the other hand, the draft laws have been criticized for violating the right to freedom of expression. With the government change and the relevant ministry's reform, the discussion around these initiatives has disappeared from the agenda. The Verkhovna Rada sent the draft law on the media for a second reading. Namely, the ministry itself focused more not on administrative means of combating misinformation, but on the development of media literacy competencies among the population of Ukraine. The public broadcaster received almost twice less (UAH 1.1 billion) funding and continues to lose its influence on the audience.

At the same time, in November 2019, a permanent advisory body was established under the President - the Council on Freedom of Speech and Protection of Journalists. In 2020, the Verkhovna Rada ratified and thus enacted the Tromso Convention, the first binding international legal instrument recognizing the universal right to access official documents created by public authorities.

### II. Special attention

Changes in political priorities are also reflected in the general media discourse, which significantly influences the EU's perception by population. Thus, in December 2019, 60% of Ukrainians supported joining the EU, and in April 2020 - 46.1%. According to some data, the level of support for EU accession in May 2019 was 69%.

### III. Proposals for a new document by 2025

Given the changes in the EU's perception by population, it is necessary to ensure a more significant presence of European integration issues and the benefits of cooperation with the EU in the media space. Accordingly, for the next period, it is proposed to allocate more expert, advisory, and financial resources to produce and broadcast relevant media content, focusing on creative and entertainment format. Specific attention in strategic communications should be focused on working with social media. As for the strengthening of the media, a separate condition for further support for Ukraine reforms and the provision of technical assistance programs should be the protection and development of independent Public Broadcasting and its regional infrastructure. Besides, to ensure the media's independence, effective mechanisms of cooperation and self-regulation of the media should be introduced following the best European practices, particularly the Swedish model.

### IV. Assessment: ++



# ECONOMIC DEVELOPMENT AND MARKET OPPORTUNITIES

## 4. SMALL AND MEDIUM-SIZED ENTERPRISES AND BUSINESS ENVIRONMENT

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### I. Description of implementation

According to the assessment of the implementation of the Small Business Act for Europe, conducted by the methodology of the SME Policy Index (OECD), Ukraine increased by more than 10% the critical indicators on the regulatory framework, operating environment and SME support compared to 2015-2016 (among them there are the following indicators: institutional and legislative framework, bankruptcy, entrepreneurship education, access to finance).

As of 2019, the funds provided to Ukraine by the European Union for the SME sector since the start of the program have been used to help 3,228 micro-, small and medium-sized enterprises and create an estimated 7,226 new jobs (report on Ukraine EU4Business programs).

The EU continues to provide significant support to Ukrainian SMEs. The intensity of European aid increased significantly during the COVID-19 pandemic against the background of an increase in the number of assistance programs of national authorities, including through special business support organizations: SME Development Office, Ukrainian Export Promotion Office, Ukrainian Startup Fund, and BRDO.

The main tools for public-private dialogue in Ukraine today are the SME Development Office under the Ministry of Economy (with PRO and PRO Dialogue platforms) and BRDO. At the Eastern Partnership region level, the EU4Business project is being a platform for such dialogue to a greater degree. The holding of business forums of the Eastern Partnership continues to be the primary tool for regional economic diplomacy.

Today, the widely developed SME support infrastructure includes business centers, business incubators, technology/science parks, chambers of commerce and industry, trade associations and industrial clusters. More than 400 active business support organizations enjoy EU projects' support (for example, the FORBIZ project of the EU4Business initiative). With the EBRD mediation, the EU has also created a network of business support centers in 15 cities of Ukraine.

### II. Special attention

The dynamics of achieving the target by 2020 generally met the stated indicators. Still, currently, it is impossible to talk about 100% of its implementation due to the lack of clear mechanisms for measuring the effectiveness of SME support programs by the EU and a limited range of instruments for providing financial support to businesses. Relevant decision-makers from Ukraine and the EU should join forces to conduct a comprehensive analysis of existing/possible SMEs financial support mechanisms, improve, and strengthen the legal framework for non-bank financial instruments (microfinance, factoring, venture capital, etc.).

### III. Proposals for a new document by 2025

For the future, by 2025, taking into account the latest trends in the development of information and communication technologies and pandemic challenges, it is proposed to add to the new framework document the following new goals for the digitalization of the small and medium business sector:

- harmonized regulatory conditions were created, and a common strategic vision for the digitalization of SMEs in the Eastern Partnership was developed;

- in all Eastern Partnership countries, policies have been developed to promote the processes of digitalization of business support infrastructure (including business support organizations) in line with European practices;
- Mechanisms for institutional support for digitalization of SMEs have been established in all Eastern Partnership countries.

#### IV. Assessment: ++

## 5. GAPS IN ACCESS TO FINANCE AND FINANCIAL INFRASTRUCTURE

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### I. Description of implementation

The Ministry of Finance of Ukraine, regulators and the Individual Deposit Guarantee Fund have approved the Strategy for the Development of the Financial Sector of Ukraine until 2025. Following international standards and with the EBRD's support, the Concept of Capital Markets Infrastructure Reform in Ukraine has been developed and approved. As part of its implementation, the development of a targeted model for reforming the depository, settlement and clearing infrastructure of capital markets began.

In 2018, the National Bank of Ukraine created a centralized Credit Register, which accumulates information on credit operations of borrowers, the debt of which is more than 100 minimum wages to one bank. Today, the register contains information on more than 75 thousand debtors - 48 thousand individuals and 27 thousand legal entities.

Support for the development of entrepreneurship in Ukraine is provided mainly by the EU and international financial organizations giving credit support, among other things. State support programs related to the agro-industrial complex, youth construction and energy efficiency. In 2020, the state program "Affordable loans 5 - 7 - 9%" was launched to

support micro and small enterprises' investment projects. It also provides credit guarantees. In 2020, the Factoring Hub online platform was launched, which allows SMEs to receive factoring services.

The EU continues to implement EU4Business support programs in Ukraine, including loans and grants worth more than 300 million euros. "Stage II of the SME Financing Mechanism" aims to stimulate lending in local currency to micro, small and medium enterprises. The "EBRD Program: Lending to SMEs in National Currency" is addressed to private enterprises with an annual turnover of up to 50 million euros and the number of employees up to 250 people.

### II. Special attention

The main challenges, including the creation and development of alternative financing sources for SMEs and the stimulation of lending in the national currency in 2020, have gained new impetus to be addressed. Compared to 2017, there is evident progress in overcoming them. However, there is still a lack of reliable data to assess the share of EU aid provided in the national currency.

### III. Proposals for a new document by 2025

The next period's critical task is to ensure the transparency of financial support for SMEs (including from the EU), provided through both traditional and new mechanisms. It is advisable to introduce a register of financial assistance recipients from the state and the EU on the online analytical platform. The most ambitious task for lobbying Ukraine before the EU is to enable domestic SMEs to use the COSME program's financial instrument.

#### IV. Assessment: +++

## 6. NEW JOB OPPORTUNITIES AT THE LOCAL AND REGIONAL LEVEL

### I. Description of implementation

One hundred seventy-two participants joined the “Measures for Economic Growth” initiative in Ukraine: 99 full members (have approved Local Economic Development Plans and are implementing them) and 73 junior ones (working on the Plans). Out of the 16 Eastern Partnership projects that received support in 2017, six were Ukrainian.

Decentralization processes occur under the Concept of Local Self-Government Reform and Territorial Organization of Power and are not related to the public administration reform strategy. In 2020, the reform’s voluntary phase was completed, 1,470 united territorial communities and 136 new districts were formed instead of the 490 old ones.

Regional development projects in Ukraine are implemented at the expense of the State Fund for Regional Development, established by the law “On the principles of state regional policy” of 05.02.2015. In 2020, UAH 4.9 billion has been allocated to finance the State Fund for Regional Development, and 461 projects are to be implemented.

Working groups develop regional development strategies with the inclusion of regional/local stakeholders. Stakeholders are members of the Regional Commissions that evaluate and provide a competitive selection of investment programs (projects) that can be implemented at the State Fund for Regional Development expense.

The development of regional development strategies for 2021-2027 was carried out based on smart specialization in Ukraine’s regions. Odesa, Kharkiv and Zaporizhia oblasts were pilot participants in the Smart Specialization platform with the Joint Research Center’s support at the EC.

The concept of development of farms and agricultural cooperatives for 2018-2020 contains incentives for farming groups. In 2020, a new version of the Law of Ukraine “On Agricultural

Cooperation” was adopted, which regulates the critical issues of establishment and operation of agricultural cooperatives. According to the results of 2019, there are 46.8 thousand farms, 28 thousand cooperatives, including 1008 production, 1268 service and 761 consumers.

### II. Special attention

The lack of reports does not make it possible to assess the progress of implementing the Strategy for the Development of the Agricultural Sector for up to 2020. The developed Unified Comprehensive Strategy for Agriculture and Rural Development for 2015-2020 has not entered into force. In 2019, the Strategy for developing exports of agricultural products, food and processing industries of Ukraine for up to 2026 was approved.

The expected progress has not been made in agriculture. The implementation of agricultural strategies is not being assessed; the goals have not significantly supported the EU. Local economic development plans developed under the Measures for Economic Growth initiative do not meet Ukrainian legislation requirements, which will require further adjustment of the planning system. Ensuring transparency in achieving the 2020 targets remains the most critical issue.

### III. Proposals for a new document by 2025

The EU’s support for local government and regional development reform should be refocused from information and training support to introducing European approaches to infrastructure development and accessing the Structural Funds.

Progress in the field of strategic and cooperative agricultural development on a European basis requires a program similar to ENPARD (European Neighborhood Program for Agriculture and Rural Development), which has successfully proven itself in other countries.

### IV. Assessment: ++

# 7. HARMONIZATION OF DIGITAL MARKETS

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## I. Description of implementation

The Network of Regulators of Electronic Communications of the Eastern Partnership (EaPeReg - an active member of the network is Ukraine) has adopted a Methodology for assessing the independence of national regulatory authorities of electronic communications for the Eastern Partnership.

A memorandum has been signed between the Government of Ukraine and four leading mobile operators on the reorganization of radio frequencies in the 900 MHz band, which will expand the country's coverage (up to 90% of settlements) with 4G mobile communications and broadband Internet access.

The Ministry of Digital Transformation has developed and submitted for discussion a draft National Strategy for the Development of Broadband Internet Access.

In Ukraine, there is a rapid development of the system of public e-services and electronic identification, including created a portal of public services "Diia" under the auspices of the relevant ministry, launched an integrated electronic identification system, systematically implemented SmartID technology, started the process of optimizing electronic data registers. It provided a significant impetus for the development of international cooperation in electronic identification and e-trust services: Ukraine requested mutual recognition of trust services per Article 14 of the e-IDAS Regulation during a meeting of the EU-Ukraine Association Council Committee.

With the EU4Digital project's support, Ukraine was selected from among the EU's Eastern Partnership countries and invited to participate in pilot projects to create cross-border electronic signature systems. The first Declaration of Intent on mutual recognition of electronic identification and trust services for electronic transactions was signed between the Ministry of Digital Transformation of Ukraine and the Ministry of Economy and Innovation of the Republic of Lithuania.

Measures to align e-commerce between the EU and Ukraine began in 2020 under the e-commerce component of the EU4Digital program. One of

the Ukrainian government initiatives, which has the potential to harmonize e-commerce systems between Ukraine and the EU further, is the introduction of "e-residency".

Another critical step is the introduction in Ukraine of a system for using the electronic consignment note. In July 2020, a pilot activity on electronic delivery for cross-border data exchange between Ukraine and the EU country (Poland) was launched for the first time.

Since the beginning of 2020, Ukraine has a national online digital literacy platform "Diia: Digital Education", designed to improve citizens' basic digital skills.

Within the EU4Digital program, a national action plan to improve national policies on access to finance for innovative digital SMEs has been developed.

From the end of 2019, Ukraine and other EU countries can share even more research data cheaper thanks to the EU-funded EaPConnect project. That has strengthened the links between Ukraine's research, innovation and startup ecosystem and similar EU ecosystems.

From November 2019, medical institutions of Ukraine have the opportunity to connect to the e-Health system to provide certain types of specialized medical services from specialized doctors

## II. Special attention

Ukraine still faces critical cybersecurity challenges due to the lack of an effective cybersecurity model in all industries, a shortage of qualified professionals, and limited resources to identify and address strategic challenges. The state of e-commerce in Ukraine has not been assessed yet. There is no national strategy for developing digital skills and competencies, which significantly slows down the development of digital infrastructure in Ukraine.

## III. Proposals for a new document by 2025

It is proposed to add the following new goals to the new framework document of the Eastern Partnership by 2025:

- an effective system of cross-border e-commerce between the countries of the Eastern Partnership and the EU has been created;

- a single harmonized platform for the EU and the Eastern Partnership based on existing coalitions for digital skills and jobs, which systematically measures, compares and forecasts digital skills in the region and the EU and monitors the implementation of existing national strategies for digital skills has been created;
- pricing and reduced roaming tariffs between the Eastern Partnership and the EU has been harmonized;
- Cybersecurity strategies until 2025 have been developed and are being implemented in all Eastern Partnership countries; the regulatory framework of the Eastern Partnership countries in the field of cybersecurity is fully harmonized with the relevant EU regulations;

A harmonized system of permanent national computer teams training for emergency response has been created and launched between the Eastern Partnership and the EU region.

#### IV. Assessment: ++

## 8. Implementation of the Deep and Comprehensive Free Trade Area (DCFTA)

### I. Description of implementation

In 2020, the COVID-19 pandemic became a determining factor for international trade, completely changing previous years' trends. The growth of Ukraine's trade with the EU, observed from 2016 to 2019, was replaced by a sharp decline. In the first seven months of 2020, exports of goods to the EU, according to the State Statistics Service, decreased by 19% compared to last year, imports - by 12%, mainly due to a sharp decline in demand. Thus, this crisis pushed the nominal indicators of trade with the EU to about the level of 2017. Simultaneously, the EU as a single customs territory remains Ukraine's most important partner, despite Brexit.

During 2020, preparations continued for accession to the joint transit system with the EU after the adoption in late 2019 of long-awaited laws implementing the provisions of the Conventions on a common transit procedure and on the simplification of formalities in the trade of goods. New forms of documents and procedures have been approved, and the NCTS system is being tested (full accession of Ukraine at the beginning of 2021). In September 2020, the State Customs Service received the first application for the Authorized Economic Operator (AEO).

In industrial safety, in 2020, European experts have started assessment the readiness of the Ukrainian technical regulation system. Successful external evaluation is a prerequisite for beginning negotiations on the ACAA. In 2020, the first recognition of equivalence in Sanitary and Phytosanitary Measures (SPS) for seeds is expected. The number of enterprises that have been verified for exports of animal origin products to the EU continues to grow.

At the beginning of 2020, the EU and Ukraine formally confirmed the first phase of public procurement markets' mutual opening under the DCFTA. The level of harmonization of Ukrainian legislation can already be said to implement the next stage. Thus, Ukraine has shown significant progress in achieving regulatory indicators related to the implementation of the DCFTA, in some cases closely approaching their full implementation.

### II. Special attention

Particular attention should be paid to avoiding unjustified trade restrictions, especially in areas where there is mutual market opening. For example, in the summer of 2020, the parliament passed in the first reading a draft law requiring localization in the field of public procurement, which contradicts the provisions of the Association Agreement and the objectives of the Eastern Partnership. The development of institutional mechanisms that would stop such initiatives at the development stage would save resources and promote faster economic integration with the EU.

Another essential task is to increase the efficiency of approximating the Eastern Partnership member states' legislation to the EU norms. It is vital to ensure a rapid analysis of the Act's compliance with

regulations adopted to harmonize with EU norms and obtain formal EU conclusions, preferably by the time such acts are adopted. The consultation mechanism in the updated Annex XXVII to the Association Agreement with Ukraine offers a practical option.

### III. Proposals for a new document by 2025

The implementation of the Association Agreement facilitates the implementation of the Eastern Partnership's objectives, which create a background for the regulatory rapprochement of all countries in the region with the EU, which is beneficial for Ukraine's foreign trade. The goals of the Eastern

Partnership by 2025 must be continuous and ambitious at the same time to be attractive to all countries of the Eastern Partnership, including the countries that have signed the Association Agreements. What are the goals for 2025 in the field of foreign trade: signing of the ACAA, recognition of food safety equivalence, involvement in the common transit system of all Eastern Partnership countries, mutual recognition of AEO with the EU, full mutual opening of public procurement markets, expansion of the EU services markets joint opening of which is envisaged.

### IV. Assessment: ++

# STRENGTHENING INSTITUTIONS AND GOOD GOVERNANCE

## 9. RULE OF LAW AND ANTI-CORRUPTION MECHANISMS

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### I. Description of implementation

Six independent specialized high-level anti-corruption bodies are fully operational in Ukraine: the National Anti-Corruption Bureau of Ukraine (NABU, 2015), the National Agency for the Prevention of Corruption (NAPC, 2016), the Specialized Anti-Corruption Prosecutor's Office (SAP, 2016), and the National Agency for Detection, Search and Management of assets obtained from corruption and other crimes (ARMA, 2017), the State Bureau of Investigation (SBI, 2018) and the Supreme Anti-Corruption Court (SACC, 2019).

An effective system of property declarations has been created and implemented by the NAPC. The register was launched in August 2016, and in 2019 the register was improved by the system of automatic logical and arithmetic control (LAC) with the ability to automatically check 2.7 million electronic declarations in 5 days with automated access to 13 state registers. Information on the financial condition of the declarants is publicly available. The electronic declaration system has several deterrent sanctions: administrative liability (fine) and criminal liability (imprisonment from 5 to 10 years with a ban on holding positions for up to 3 years). Such a system of conflict of interest has not been created.

The Ukrainian register of beneficial owners is synchronized with the global open register, and in 2019 an updated concept of the mechanism of such verification was developed, which is still awaiting approval.

The level of cooperation between NABU and the SAP in most criminal proceedings has increased, and coordination between them has improved. There is progress in establishing collaboration between independent anti-corruption bodies -

NABU, SAP and SACC. Although the first indictment against SACC from NABU and SAP was sent only in September 2019, as of September 16, 2020, there were 50 of them.

There is no current, reliable model for recording the history of investigations and trials of large-scale corruption cases. (Stories of investigations of large-scale corruption cases can be seen only on the NABU website without details).

An improved legal framework has been developed, allowing confiscating and managing assets obtained due to criminal acts of corruption. In 2018, ARMA began to implement the state's functions to detect and manage seized and confiscated property on behalf of investigators (detectives), prosecutors and judges and gained some experience. The system involves law enforcement (the SPU investigates and sends inquiries) and the judiciary (seizing). And although during this period ARMA has processed more than a thousand law enforcement appeals and established work at the request of foreign asset search agencies, a full and effective model for the return of assets (wealth) is only being founded.

National legislation in line with the FATF Recommendations and the Fourth EU Directive against Money Laundering and Terrorist Financing has been adopted (April 2020). Work is currently underway to develop regulations on financial monitoring.

On the way to implementing the GRECO recommendations formed in 2017, less than half remain relevant as of September 2020.

### II. Special attention

Most of the problems observed in the construction of anti-corruption infrastructure are related to regulatory gaps and inconsistencies accompanying procedural and personnel issues. For example, the non-compliance of the existing procedure for appointment and dismissal of the NABU Director with the constitutional provision is to be resolved.

Some issues need to be accelerated, such as the authorization of the NABU / SAP autonomous electronic criminal justice system or the process of creating the Unified State Register of Arrested Assets of ARMA. Attestation of prosecutors at the regional and local levels must be completed following the law and procedures applicable to attestation in the Prosecutor General's Office.

### III. Proposals for a new document by 2025

In developing a new work plan for the Eastern Partnership countries, it is advisable to create clear criteria for measuring key indicators. The assessment of the implementation of each of them in the previous version of the methodology is too general.

In the next medium-term document, the EU may link the allocation of separate financial support programs to Ukraine to establish a planned profile body in financial investigations. This single body has to investigate severe economic and financial crimes with a clear mandate and clear delineation of its competence with other law enforcement agencies (representatives of the Ukrainian authorities have been promising to establish a single body for combating financial offences already for the last six years).

### IV. Assessment: ++

## 10. IMPLEMENTATION OF KEY JUDICIAL REFORMS

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### I. Description of implementation

Legislative support in the field of justice as of September 2020 has not fundamentally changed. Initiated by the President of Ukraine Volodymyr Zelensky, the draft law on judicial reform №1008 was adopted by the Verkhovna Rada in autumn 2019 and became Law 193-IX. The law provided for a reset of the High Qualifications Commission of Judges with international experts' involvement and the establishment of an ethics commission to monitor the integrity of the HJC and SCJ (Supreme

Council of Justice) members themselves. However, the risk envisaged in 2019 was realized - because the non-renewed SCJ was given excessive powers to implement the reform. It completely blocked the creation of Ethics and Competition Commissions to clear the SCJ and form a new HJC.

In June 2020, a Memorandum with the IMF was published. According to that, Ukraine undertook to clear the SCJ of dishonest members and transfer jurisdiction over the most critical cases from the District Administrative Court of Kyiv (DACK) to the Supreme Court. Similar requirements were later set out in a Memorandum with the EU on macro-financial assistance.

In June 2020, President Zelensky submitted to the Verkhovna Rada Draft Law 3711, which does not meet these obligations, but only strengthens the unreformed SCJ and DACK.

Adopted in September 2019, the new law on the Prosecutor's office's reform was partially successfully implemented - following its provisions, 55% of prosecutors in the Office of the Prosecutor General were fired. However, with the Prosecutor General's change in March 2020, both the pace and volume of staff resetting of the system decreased significantly.

In the Rule of Law Index, Ukraine rose six places in 2019 but scored only 0.01 additional points. The weakest indicators are "no corruption" and "criminal proceedings". As of July 2019, confidence in the judiciary has declined further; courts remain the institution with the lowest balance of trust among Ukraine institutions. Only 12% of the population trust the courts, while 77.5% do not trust them (according to the Razumkov Center).

### II. Special attention

The dynamics of achieving the goal by 2020 did not meet the stated indicators. The main obstacle to achieving this goal was the lack of political will to implement effective judicial reforms. Besides, a vital role in this situation was played by the judiciary. Due to the mechanisms of "self-government" and the significant influence given to it by law, the judiciary blocked the changes.

It is essential to ensure a full reset of the judiciary (HJC and SCJ) with independent international experts' participation with a casting vote. At least

half of the members of the HQCJ and SCJ should be the society representatives who are trusted by the public.

### III. Proposals for a new document by 2025

The implementation of the deliverable contributed to the strengthening of Ukraine's cooperation with the EU in terms of greater deepening of the EU institutions in judicial reform. Given the lack of political will and significant resistance to change in the judiciary, it is necessary to deepen this cooperation with the mandatory linking of key reform objectives (such as the relaunch of SCJ and HQCJ) to financial, political and other assistance from EU.

Reform of legal education and bringing its regulation closer to European standards is also significant for judges and prosecutors' proper training. Strengthening cooperation in this area will help bring success in judicial reform and make it closer to the rule of law.

### IV. Assessment: ++

## 11. IMPLEMENTATION OF PUBLIC ADMINISTRATION REFORM

### I. Description of implementation

Public administration reform in 2019-2020 was carried out following the Public Administration Reform Strategy in Ukraine until 2021 (from now on referred to as the Strategy), updated in December 2018. At the end of 2019, 71% of the measures planned for 2019 have been fully implemented (63% in 2018). Besides, the updated Strategy sets quantitative indicators for its implementation: 11 out of 17 (65%) indicators for 2019 have been fully achieved.

In December 2019, a single target model of the ministry was approved based on the successful implementation of 10 pilot ministries' reorganization project in 2017-2019. As of mid-2020, about 50 directorates (out of approximately 100 planned in

the ministries) were formed, and more than 600 reform specialists have been appointed. However, due to the introduction of quarantine restrictions on competitions for the civil service, directorates' and reform experts' appointment had slowed down significantly in 2020.

In May 2020, the government approved the Concept of Reforming the Remuneration System for Civil Servants following European Principles defined by the OECD / SIGMA. In September 2020, the Verkhovna Rada adopted the government draft law "On Administrative Procedure" in the first reading. It establishes standard transparent rules for interaction between individuals and legal entities and brings Ukraine closer to European countries' standards.

In 2020, there were significant changes in the development of digital tools aimed at increasing the transparency and accountability of public administration: Web portal of vacancies career.gov.ua was extended to all categories of civil service positions in ministries and other government agencies; the pilot implementation of the system of accounting and personnel management in the civil service has started (HRMIS, public.nads.gov.ua); the Rules of Procedure of the Cabinet of Ministers were changed to introduce a system of information exchange between the Cabinet of Ministers and the Verkhovna Rada; a mobile application and portal of administrative services "Diia" with the ability to order and receive more than 100 electronic services online was launched.

Unfortunately, the level of politicization of the civil service has increased. In September 2019, the Verkhovna Rada adopted the Law of Ukraine №117 "On Amendments to Certain Laws of Ukraine on the Reset of Power". This law aimed to radically renew the civil service and increased political influence over the professional civil service by simplifying the procedures for dismissal of civil servants and the civil service's competitive selection procedure. Besides, civil service competition procedures were abolished with the start of quarantine caused by COVID-19, which created the preconditions for political abuse. As of October 2020, almost 12,000 vacancies have been announced. The 5,800 people have been appointed to sign a contract according to the appointment procedure to civil service positions for the quarantine period.

### II. Special attention

Serious attention needs to be paid to regulating the current legislation on the civil service, especially on its depoliticization and increasing the transparency and openness of competitions (improvement of merit-based and transparent recruitment) to comply with European Principles of Public Administration.

### III. Proposals for a new document by 2025

The implementation of public administration reform in Ukraine is taking place following two critical strategic documents, which expire in 2021 - the Strategy and the Agreement with the EU on financial support for public administration reform. As Ukraine has not yet completed the transformation of the public administration system in line with European principles of public administration and has not achieved all the objectives set out in the Strategy, it is important to continue public administration reform, taking into account the following priorities:

- complete legislative regulation of public administration following European Principles of Public Administration, including the adoption of relevant laws (or amendments to laws) on the Cabinet of Ministers, on CEB, on civil service, on administrative procedure, on state statistics and others;
- continue the digital development of public administration, including the full implementation of HRMIS, the introduction of modern online tools for competitions (in terms of social distancing), the introduction of compatible systems of interaction and document management in government agencies;
- strengthen the civil service's capacity to formulate and analyze public policy and increase its professional level in providing quality services to citizens and businesses. It is essential to ensure the implementation of approaches and principles of "people-centric policymaking and public services" in the civil service and the development of modern tools for personnel management in the civil service, including competitive selection, clear financial motivation and professional development.

### IV. Assessment: ++

## 12. SECURITY COOPERATION

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### I. Description of implementation

Ukraine has improved its capacity to combat organized crime through cooperation agreements with Eurojust (2016) and Europol (2016), the appointment of a liaison officer to Europol, the activities of the EU Advisory Mission to Ukraine (EUAM), the EUBAM mission, the SOCTA methodology and cooperation with Moneyval and OLAF.

The State Bureau of Investigation began work in 2018. The laws on Countering the Financing of Terrorism (2019) and on Liability for Crimes Committed by the Criminal Community (2020) were approved. In 2019, the National Strategy for Integrated Border Management until 2025 and the Concept for Combating Terrorism were approved.

The Instruction on Risk Analysis, including risk indicators for potentially dangerous weapons transportation, has been approved by the SBGSU (2017).

In cybersecurity, the Budapest Convention is being implemented, except for Articles 17 and 19. The Cybersecurity Strategy (2016), the Law on Basic Principles of Cybersecurity (2017) and the General Requirements for Cybersecurity of Critical Infrastructure (2019) have been approved. The National Coordination Center for Cyber Security was established at the National Security and Defense Council (2016), the Department of Cyberpolice (2015), and is accredited by FIRST CERT-UA at the SSSCU.

Ukraine has joined the work of the EU RCBNS Center of Excellence (2011).

The Law on National Security of Ukraine (2018) defined Ukraine's integration into the EU security space. Ukraine joined the EU operation "EU NAVFOR ATALANTA" (2014) and EU combat tactical groups (2012, 2014, 2016, 2018, 2020), the development of regulations for participation in the EU operation "ALTHEA" (Bosnia and Herzegovina) is under implementation.

Elements of the Common Security and Defense Policy (CSDP/CFSP) are partially included in the programs of National Academy of State

Administration and universities of the Ministry of Internal Affairs, Security Service of Ukraine and SBGSU. The National Academy of the Ministry of Internal Affairs is part of the Association of European Police Colleges. The National Defense University of Ukraine is part of the European Security and Defense College network.

Ukraine has joined the PPRD East Civil Protection and Emergency Response Program (2014-2019).

The Concept of Emergency Risk Management for 2015-2020 is being implemented. Cooperation and round-the-clock information exchange between the EU Civil Protection Mechanism Monitoring and Information Center and the SES Operational Duty Service have been established.

## II. Special attention

Ukraine has not completed legislative work in combating cybercrime in the context of defining an electronic evidence base and creating an effective system of cyber protection of critical infrastructure. There is no progress in implementing the Sendai Framework Program for Disaster Risk Reduction.

Ukraine still has an underdeveloped national system for combating the illicit arms trade and continued cooperation with other Eastern Partnerships countries.

Attention should be paid to expanding the inclusion of CSDP/CFSP elements in Ukrainian universities' educational processes, especially defense universities, which focus more on NATO and involving representatives of Ukraine in EU missions and operations.

These provisions are being worked out in Ukraine and can be implemented in the coming years.

## III. Proposals for a new document by 2025

The implementation of tasks in the Eastern Partnership security sector contributed to the implementation of the Association Agreement by Ukraine. Therefore, the new framework document should provide for the following tasks that correlate with the association processes:

- 1) Launch of sustainable cooperation between the EU and the Eastern Partnership countries to counter hybrid threats.
- 2) Include the Eastern Partnership countries in the EU Rapid Alert System.
- 3) Develop and implement into the Eastern Partnership a multilateral mechanism for the protection of critical infrastructure in partner countries in cross-border or regional segments.

## IV. Assessment: +++

### 13. EXTENSION OF TEN-T CORE NETWORKS

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#### I. Description of implementation

The World Bank identified the main “quick wins” in 2018 in the Investment Plan for Infrastructure Development for Ukraine and other Eastern Partnership countries. TEN-T (Trans-European Transport Network) projects in Ukraine are financed through the EBRD and the EIB. The law “On Concession” adopted in October 2019, which harmonized the legislation, established clear procedures, and regulated the list of areas and participants, gave a new impetus to the implementation of “quick wins” projects in Ukraine. Ukraine signed the first concession agreements this year for the ports of Olvia and Kherson.

Of the six agreements on the single aviation area, Ukraine has only two, and even those were signed before adopting 20 deliverables of the Eastern Partnership. These are the agreements with Armenia (1995) and Georgia (2011). In 2018, an agreement was signed with Moldova on the liberalization of air services, but it has not yet been ratified. Agreements with Azerbaijan and Belarus are restrictive.

The Mediterranean and Rhine-Danube corridors passing through Ukraine were included in the European TEN-T transport network in 2017. Ukraine has also joined two international TEN-T projects - GO-HIGHWAY “Gdansk - Odesa” and Via Carpatia. However, Ukraine’s inland waterways are still not included in the TEN-T indicative network. This process is negatively affected by Ukraine’s violation of the Espoo Convention due to dredging works in the Danube delta. Despite the parties’ significant progress to the Espoo Convention in February 2019, the warning to the Government of Ukraine regarding violations of the Convention remains in force.

Ukraine has failed to reduce the number of road accidents, despite the adopted State Program and

Strategy for Improving Road Safety in Ukraine until 2020, to reduce mortality and injuries in road accidents by 30%. According to the National Police, the number of road accidents since 2017 has not changed significantly. It is about 160 thousand accidents per year, in which about 3.4 thousand people die annually, and about 55 thousand people are injured. In 2019, the Ukrainian government decided that independent experts with international experience would oversee road repairs in Ukraine, and in July 2020, the first such agreement was signed with a Polish company.

On October 21, 2020, the Cabinet of Ministers approved a new Strategy for Improving Road Safety in Ukraine until 2024. This strategy’s fundamental goal is to reduce the death rate due to road accidents compared to 2019 by at least 30% by 2024 and by 50% by 2030.

#### II. Special attention

TEN-T projects’ successful implementation and the attraction of funding from the Ukrainian Government require more effort to prepare quality feasibility studies for projects. Of the 39 projects included in the network, only two have been launched so far (the bypass road around Lviv and the Kyiv-Odesa highway) with a EUR 450 million loan from the EIB.

It is also necessary to finally ratify the agreement on the liberalization of air services with Moldova, signed in April 2018, and start negotiations with Belarus and Azerbaijan.

#### III. Proposals for a new document by 2025

Successful implementation of concession projects in Olvia and Kherson’s ports can stimulate investments on similar principles in other TEN-T projects in Ukraine. Another new stimulus could be adopting a law on multimodal transportation, facilitating transport transit corridors in Ukraine.

To decisively improve road safety, Ukraine needs to involve police and health services and non-

government organizations in developing, discussing, and implementing the National Road Safety Action Plan. The leading causes of road accidents in Ukraine are inattention of drivers and pedestrians and poor roads.

#### IV. Assessment: ++

## 14. ENERGY SUPPLY SECURITY

### I. Description of implementation

The period of 2019-2020 was marked by several important steps towards strengthening cooperation between Ukraine and the EU in energy security and the loss of its dynamics due to the coronavirus pandemic and personnel changes at the governmental level.

The EU4Energy project continued to provide expertise on the development of the legislative and regulatory framework. In particular, the issues of cooperation between cross-border energy infrastructure operators between Ukraine and Moldova, implementation of Regulation (EU) 347/2013 on energy infrastructure, Regulation (EU) 1227/2011 on the transparency of the wholesale electricity market REMIT, creation of oil and oil products reserves, and development of clean energy.

At a high political level, the negotiation process between Ukraine and Russia on the signing of an agreement on the transit of Russian gas and an independent gas transmission system operator's certification was supported.

To strengthen the Cabinet of Ministers of Ukraine's institutional capacity, the project "Support to the Implementation of the EU-Ukraine Association Agreement Phase II" was launched, which analyses draft regulations on their compliance with the European energy acquis.

Ukraine has developed the Concept of a "green" energy transition following the European Green Deal's principles. However, as early as March 2020, the curtailment of reforms began. Due to political

inconsistencies, the transmission system operator's certification failed, creating additional obstacles in integrating into ENTSO-E.

### II. Special attention

In the second half of 2019, Ukraine showed high progress in implementing measures to improve energy security and form long-term energy policy in line with the European green course. However, due to domestic political reasons, this progress has slowed significantly. It has already led to a series of negotiations on the terms of the commitments, particularly about implementing environmental legislation to reduce harmful emissions from large combustion plants.

Given the difficult economic situation caused, in particular, by the coronavirus pandemic, Ukraine and the EU need to agree on a timeframe for fulfilling their obligations under the Association Agreement and the Eastern Partnership program. The relevant work can be politically decided during the next EU-Ukraine bilateral summit and carried out under the auspices of the Deputy Prime Minister for European Integration.

### III. Proposals for a new document by 2025

For the period until 2025, the focus in the energy sector should be put on the following goals:

- strengthening cooperation on counteracting the aggression of the Russian Federation with the use of energy infrastructure and resources, in particular, systematic work to reduce imports and restrict access to critical infrastructure in Ukraine and the EU;
- integration of the Ukrainian electricity market into ENTSO-E, which will provide further liberalization of its operating conditions, minimization of regulatory impact, certification of the transmission system operator on the terms of an independent ISO system operator, the introduction of market pricing mechanisms for all consumer categories, free participation of electricity producers in all organized segments market, implementation of Regulation (EU) 1227/2011;
- formation of a roadmap for cooperation between Ukraine and the EU in the implementation of the

European Green Deal, including the timeframe for our country's implementation of the "Clean Energy Package for All Europeans", including the plan to decommission fossil fuel generating capacity, increase the share of low-carbon energy, increase energy efficiency and promote sustainable development goals and circular economy;

- coordination of plans for the development of the hydrogen sector, including the production, transportation and storage of "green" hydrogen, the creation of appropriate infrastructure and production facilities, staff training and technology development;
- coordination of plans for the development of electric mobility, including extraction and processing of necessary raw materials and their safe disposal, research and testing of new battery technologies, creation of charging infrastructure along major highways and in the urban environment.

#### IV. Assessment: ++

## 15. ENERGY EFFICIENCY, USE OF RENEWABLE ENERGY, AS WELL AS REDUCING GREENHOUSE GAS EMISSIONS

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### I. Description of implementation

Ukraine has made significant progress in implementing certain aspects of energy efficiency and RES development policy. The Energy Efficiency Fund was launched, which during 2019-2020 received high positive evaluations from many domestic and European stakeholders.

The Ministry of Energy and Environmental Protection establishment in September 2019 gave impetus to the development of several regulations. In January 2020, Ukraine presented the Concept of a national "green" energy transition, based on which the preparation of Ukraine's second national defined contribution to the Paris Climate Agreement began.

However, already in March 2020, a government change resulted in the decline of these areas' prioritization.

The coronavirus pandemic, the decline in economic activity, problems in the electricity market's functioning, and delays in the reform of RES support instruments have negatively affected the further implementation of energy efficiency policy and renewable energy support. The draft Law of Ukraine "On Energy Efficiency", which complies with Directive 2012/27 / EU principles, is still awaiting approval at the Cabinet of Ministers' level. The Energy Efficiency Fund, launched through European and Ukrainian stakeholders' joint efforts, does not contain the necessary funding in the draft state budget for 2021, which jeopardizes its further work.

In 2020, a complex process of revision of RES support instruments took place. There were changes in the regulatory framework for the retrospective reduction of "green tariffs" for wind and solar power plants. Delays in introducing "green" auctions for new RES projects also harm solving existing problems.

Ukraine has repeatedly asked the European institutions to postpone submitting the integrated plan for energy and climate until 2030. Accordingly, the preparation of the second National Defined Contribution, which should become an integrated part of the above document, is delayed.

The Ministry of Energy's initiative to postpone the implementation of commitments under the National Emission Reduction Plan for large combustion plants has provoked resistance from environmental organizations and comments at the Energy Community level.

Ukraine has 248 signatories to the Covenant of City Mayors. Many cities are actively working on the development of municipal plans for sustainable energy and climate development. Several cities have announced goals to achieve climate neutrality by 2050.

### II. Special attention

The Ukrainian government has to deal with the state budget deficit that creates the temptation to limit funding for the Energy Efficiency and Environmental Expenditure Fund. That is unofficially supported by large financial and industrial groups not interested

in large-scale investments to improve energy efficiency.

The EU has already invited Ukraine to join the European Green Deal, particularly to become a participant in implementing the EU Hydrogen Strategy and reaffirm the course for low-carbon energy. At present, it is critical to work together to develop a National Integrated Plan on Energy and Climate and a Second National Defined Contribution to the Paris Climate Agreement.

- Joint document on Ukraine's participation in the European Green Deal.
- Roadmap for implementing the "Clean Energy Package for all Europeans" (4th energy package) in Ukraine.

### III. Proposals for a new document by 2025

The growth rate of RES in recent years has been too high, which has contributed to the improvement of the overall investment climate but has led to a distortion of the electricity market's financial situation due to the untimely changes in support instruments.

Targets by 2025, which can be indicated in the following roadmap of the Eastern Partnership:

- progress has been made in implementing the integrated energy and climate plan;
- the tools of monitoring and control over the implementation of the Second National Defined Contribution to the Paris Climate Agreement have been formed;
- harmonization of climate goals with the strategy of economic and energy development is ensured;
- a roadmap for the implementation of the "Clean Energy Package for all Europeans" was developed and approved;
- a national strategy for achieving climate neutrality and a "green" energy transition for Ukraine was developed and approved.

### IV. Assessment: +

## 16. ENVIRONMENT AND ADAPTATION TO CLIMATE CHANGE

### I. Description of implementation

In February 2019, the Verkhovna Rada of Ukraine adopted the Strategy of State Environmental Policy until 2030, aiming to break the link between economic growth and harming the environment. The strategy contains 30 performance indicators. The Laws "On Environmental Impact Assessment" (2017) and "On Strategic Environmental Assessment" (2018) have been adopted and are being implemented.

The de facto liquidation of the Ministry of Ecology and Natural Resources in September 2019 by merging with the Ministry of Energy has made it much more difficult to achieve environmental results. The Verkhovna Rada's approval in April 2020 of amendments to the State Budget in connection with the coronavirus epidemic directed the funds allocated for environmental measures to other expenditures. On May 27, 2020, the government re-established an independent environmental agency.

The State Agency for Water Resources and Basin Authorities have ensured consistency in the preparation of River Basin Management Plans (RBMPs). The process is taking place according to the schedule and road map by 2024, which were approved by the State Water Agency in September 2019, published on its website and updated. According to the schedule of implementation of the EU WFD in Ukraine, ten years have been allotted to prepare the RBMPs and public consultations and publish these plans. That means that only in 2024 such plans be approved for implementation (simultaneously, the Eastern Partnership's previous goals proposed to approve 50% of the RBMP in 2020).

On June 2, 2020, the Verkhovna Rada adopted the Law of Ukraine "On Amendments to the Forest Code of Ukraine on National Forest Inventory". It established a new system for collecting valid data on the forest fund, including forest monitoring, a crucial step to prevent and control illegal logging.

The Government approved the Concept for implementing state policy in climate change for the period up to 2030 (2016) and the action plan

for its implementation (2017). Still, the Climate Change Adaptation Strategy (planned for 2020) and measures for adaptation of economic sectors (scheduled in 2019) are at various preparation stages.

### II. Special attention

In the field of environmental protection, Ukraine still does not have a clear plan for institutional reform. Despite some achievements, implementation potential remains weak and volatile, and environmental and climate policies are fragmented and lack durability. First of all, Ukraine needs to ensure a strategic approach to solving environmental problems, the adequacy and sustainability of environmental institutions to ensure proper environmental governance.

A specialized bilateral working group with the EU is needed to support this complex reform. The working group consisting of senior public officials and invited representatives of financial institutions,

experts and the public should monitor and control the achievement of the Eastern Partnership environmental and climate policy goals.

### III. Proposals for a new document by 2025

The new environmental and climate goals of the Eastern Partnership must be compliant with the Association Agreement implementation schedule. They must include the achievement of good environmental governance, particularly about government institutions' effective functioning for environmental policy planning, implementation, supervision and control; ensuring transparency, accountability, and inclusiveness of activities. It is also desirable that the new targets increase the pressure to return to the implementation schedule under the Association Agreement on Priority Sectoral Reforms.

### IV. Assessment: ++

# MOBILITY AND PEOPLE-TO-PEOPLE CONTACTS

## 17. VISA LIBERALIZATION AND MOBILITY PARTNERSHIPS

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### I. Description of implementation

The pandemic restrictions in the first half of 2020 caused changes in cross-border traffic and tightened border controls. Restrictions were introduced almost simultaneously by all Eastern Partnership countries except Belarus. Many problems have highlighted the already existing shortcomings in border management, particularly with the Schengen countries.

In 2019, according to the SBGSU, the total number of checkpoint operations on the Ukrainian border amounted to 102 million, or about 275 thousand per day. The pandemic and mobility restrictions have significantly changed traffic volume across Ukraine's border, including with the Schengen countries.

Pandemic constraints have revealed problems related to the management of external labor migration and the implementation of Ukraine's reintegration policy. Simultaneously, Eastern Partnership and EU governments' role in managing labor migration, including seasonal migration, has increased.

In July 2020, the European Commission published a regular monitoring report on the Eastern Partnership countries' compliance with the visa-free regime's criteria under the "suspension mechanism". The monitoring follows migration trends - illegal stay, refusal of entry at the border, the number of asylum applications in EU countries and the percentage of their recognition - and indicators of security stability, state of affairs and reforms in the areas of justice, freedom, security, crime, corruption, and terrorism.

The monitoring also showed an increase in the number of Ukrainian citizens denied entry at the border and the number of detected unregulated migrants.

Among other Eastern Partnership countries, the following problems have been identified: Moldova saw an increase in unregulated migrants. Georgia had an increase in the number of denied entry into Schengen countries due to the rise in illegal stays and unfounded asylum applications. Georgian authorities have criminalized the facilitation of illegal stay and the submission of false asylum applications. At present, visa-free travel with Georgia continues, and successful pandemic tactics have allowed Georgians to be the first in the Eastern Partnership to enjoy visa-free travel again fully.

Ukraine has launched consultations on the benefits of joining the Mobility Partnership initiative. Georgia and Moldova are already members of this initiative.

### II. Special attention

Systemic problems of the Ukrainian-Schengen border, such as the lack of proper infrastructure at checkpoints, lack of communication between Ukraine agencies, lead to increased adverse effects of pandemic restrictions. More attention needs to be paid to the implementation of the Action Plan of the Integrated Border Management Strategy and compliance with the criteria of the suspension mechanism.

### III. Proposals for a new document by 2025

Priority areas for cooperation with the Eastern Partnership countries are likely to be formed under the influence of COVID-19. Travel restrictions, border closures, and other measures introduced due to the pandemic can affect the possibilities of legal migration and the model of illegal migration from the Eastern Partnership over a long time.

Within the framework of the multilateral architecture of the Eastern Partnership, it is essential to resume the work of the Panel on Migration, Mobility and Integrated Border Management regarding mobility and people-to-people contacts. In the new document, by 2025, it is important to set goals for the proper regulation of labor migration processes,

the full use of its potential, and the reintegration of migrant workers.

A separate goal may be to strengthen bilateral cooperation with other EU and Eastern Partnership countries, to help solve the problems of migrant workers in all areas.

#### IV. Assessment: ++

## 18. YOUNG PEOPLE'S SKILLS, ENTREPRENEURSHIP AND EMPLOYABILITY

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### I. Description of implementation

Since 2017, civil society scholarships have been awarded to 80 active young people for professional development and implementation of individual projects. So far, 29 Ukrainian leaders have taken part in the program. The Eastern Partnership Civil Society Facility Leadership Program is ongoing.

The EU4Youth Erasmus+ Capacity Building Program has helped fund about 100 projects in the Eastern Partnership countries. EU4Youth grants have supported six large-scale projects in the Eastern Partnership countries on occupation, employment opportunities and the transition from education to youth work. The Erasmus+ program promotes the mobility and quality of formal and non-formal learning. Since 2016, 32,000 students and faculty from Eastern Partnership countries have participated in academic exchange programs, 46,000 young people have participated in other exchange, travel and volunteering programs, about 500 master's students have received Erasmus Mundus scholarships, and about 3,000 schools and 7,600 teachers were brought together through eTwinning Plus.

Ukraine is developing a strategy for youth employment and transition to work and skills development measures. The reform of vocational education institutions is underway. The EU4Skills project is optimizing and modernizing the infrastructure network of the vocational education system. There is also increased support for relocated universities.

For three years, there has been strong state support for culture from the Ukrainian Cultural Foundation. In 2020, the President of Ukraine signed a decree on measures to support culture, protect cultural heritage, and develop creative industries and tourism. Another important achievement is the establishment of the Ukrainian Institute for the Representation of Ukrainian Culture Abroad, the launch of the Academy of Cultural Leadership and other educational programs for local cultural managers.

In 2020, 6 international projects with Ukrainian organizations' participation were supported under the Creative Europe program. A total of 25 projects have been supported since 2017. Ukraine is also one of the leaders in the i-Portunus artist mobility program.

During the year, an increasing number of Ukrainian participants engaged in the projects named after Marie Skłodowska-Curie in beneficiaries' role, especially in competitions such as RISE. For the entire period since the beginning of the program, Ukrainian organizations are partners in 51 Marie Curie action projects with funding of EUR 9.56 million, which is 28% of all financing for Ukrainian organizations in the Horizon 2020.

### II. Special attention

In Ukraine, the Erasmus+ program is still not well known to the general public. It is necessary to increase the program's transparency to provide equal opportunities for young people, especially from the territories affected by the armed conflict in eastern Ukraine and young people from small settlements.

Despite substantial cultural reforms, the cultural and creative sectors in Ukraine are not fully integrated into cultural policy reforms. It is necessary to synchronize the reforms of cultural policy at the Eastern Partnership level to develop transparent tools for the participation of representatives of the cultural sphere in decision-making processes, taking into account many stakeholders. The third iteration of the "Culture of the Eastern Partnership" program should involve representatives of the cultural sector in reforming the industry at the Eastern Partnership level and forming a common strategy.

Attention should be paid to increasing Ukrainian research institutions' capacity to accept researchers

from EU countries and other countries participating in the Marie Skłodowska-Curie program.

### III. Proposals for a new document by 2025

In the future, programs for young leaders should be consolidated under one umbrella, and more beneficiaries should be involved in youth policy-making at the local and national levels. The role of CSOs in reforming vocational education and engaging young people in non-formal education through various programs also needs to be strengthened.

It is advisable to highlight the goal of increasing exchanges and mobility of young scientists in the future. A separate tool in the Eastern Partnership can be introducing special grants for mini-projects of researchers returning from internships in EU countries to their Eastern Partnership countries, including Ukraine, to use the newly acquired knowledge and experience on-site.

### IV. Assessment: ++

## 19. EASTERN PARTNERSHIP EUROPEAN SCHOOL

### I. Description of implementation

The Eastern Partnership European School has been operating since 2017 based on the international school “New School of Georgia“. Young people aged 16-18 from the Eastern Partnership countries have the opportunity to study and receive an International Baccalaureate (IB) in European Studies.

Every year, 30 young people from the Eastern Partnership countries receive support from the European Union. The grant covers the costs of education, accommodation, flight and other necessary expenses for two years.

In just three years, about 90 people have been selected for the program, including 19 young people from Ukraine. On September 1, 2020, the first

group graduated. Most of the graduates entered universities in the European Union, the United States and Canada. Due to a lack of resources and further EU support to the graduates, some of these young people were forced to drop out of universities and stay home.

### II. Special attention

This program was announced as training for future leaders from the Eastern Partnership countries, who will promote European values and hold diplomats' positions. Currently, young people are undergoing training that does not emphasize the Eastern Partnership priorities in their future activities. For Ukraine, Chapter 19 is now not a priority and does not directly contribute to European integration processes. The Ukrainian side should develop a system to support European school graduates' further development and decision-making involvement.

### III. Proposals for a new document by 2025

The implementation of the achievements did not contribute enough to strengthening Ukraine's cooperation with the EU. The European School has to open a branch in Ukraine and other Eastern Partnership countries under co-financing from the EU and governments. It is necessary to analyze the best practices from the Eastern Partnership countries (first of all, the Ukrainian Leadership Academy), develop specialized courses with civil servants, public activists, and local government representatives to immerse young people in the context of the Eastern Partnership. Besides, a system of further support for graduates should be formed together with the Government of Ukraine.

### IV. Assessment: +++

## 20. RESEARCH AND INNOVATION

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### I. Description of implementation

Ukraine has successfully implemented the goals of the section. According to the Horizon 2020 competitions results, as of September 1, 2020, 276 Ukrainian organizations participate in 196 projects and will receive EUR 34.48 million in funding for research and innovation. That is the best result among all Eastern Partnership countries.

Representatives and experts nominated by the Government of Ukraine to the program committees of the Horizon 2020 have started their activities. They are now involved in discussing the format of Ukraine's participation in the next EU Framework Program HORIZON EUROPE.

EaP PLUS was completed on August 31, 2019. The final conference of the project was held in Brussels on June 14, 2019 (<https://www.eap-plus.eu/object/news/299>). One of the project's main results was the Recommendations for the development of cooperation between the EU and the Eastern Partnership countries in science, technology, and innovation (Recommendations for the EU-EaP STI cooperation). A significant result for Ukraine was the development of two innovation clusters in Industry 4.0 and renewable energy.

A peer-review of the national research and innovation system was conducted. The results of the implementation of the audit recommendations were presented on January 30, 2019, at the final conference of the Horizon 2020 RI-LINKS2UA project with Ukrainian and European experts' participation. In 2020, the first grant competition of the National Research Foundation was launched.

The Eastern Partnership Connect project provides access to the pan-European Geant network, and in 2020 the data transfer rate was doubled.

In December 2019, a joint conference was held with EU representatives on developing opportunities for Ukraine's accession to European digital research infrastructures and the European cloud of open science.

### II. Special attention

Particular attention should be paid to Ukraine's use of the Horizon 2020 Policy Support Facility to obtain specialized support for the implementation of Open Science and open innovation approaches and the development of international cooperation in science, technology and innovation. One of the priority areas should be enhanced communication with EU structures on the format of Ukraine's participation in the next HORIZON EUROPE Framework Program. The level of coordination of the implementation of the EU4INNOVATION initiative also needs to be optimized. It is worth noting that low support from universities and research institutes for access to European research infrastructures and the European open science cloud has traditionally remained problematic.

### III. Proposals for a new document by 2025

In the new document, we propose to envisage, within the framework of the EU4INNOVATION initiative, the formation of special support tools for the Eastern Partnership countries to participate in the HORIZON EUROPE program (2021-2027). Separately, it is advisable to introduce the goal "The Association of Eastern Partnership Countries to the HORIZON EUROPE program" to develop cooperation between research and innovation structures of the EU and the Eastern Partnership. When building new tools and goals, the recommendations of the EaP PLUS (2019) project on science and innovation policy of "EU-EaP after 2020" should be taken into account.

### IV. Assessment: +++



## LIST OF ABBREVIATIONS

**ACAA** – Agreements on Conformity Assessment and Acceptance of Industrial Goods

**AEO** – Authorized Economic Operator

**AVMSD** – Audiovisual Media Services Directive (Директива про аудіовізуальні медіасервіси)

**BRDO** – Better Regulation Delivery Office (Офіс ефективного регулювання)

**COSME** – Competitiveness of Small and Medium-Sized Enterprises (грантова програма ЄС для розвитку конкурентоспроможності малих та середніх підприємств)

**EaPeReg** – Eastern Partnership Electronic Communications Regulators Network (Мережа регуляторів електронних комунікацій СхП)

**eIDAS** – electronic IDentification, Authentication and trust Services (електронна ідентифікація, аутентифікація та довірчі послуги)

**ENPARD** – European Neighbourhood Programme for Agriculture and Rural Development (Європейська програма для сільського господарства та розвитку сільських територій)

**ENTSO-E** – European Network of Transmission System Operators

**EUBAM** – European Union Border Assistance Mission to Moldova and Ukraine (Місія Європейського Союзу з прикордонної допомоги Молдові та Україні)

**FATF** – Financial Action Task Force (Міжнародна група з протидії відмиванню брудних грошей)

**FIRST CERT-UA** – Forum of Incident Response and Security Teams, Computer Emergency Response Team of Ukraine

**GRECO** – The Group of States against Corruption (Група країн Ради Європи проти корупції)

**HRMIS** – Human Resource Management Information System (інформаційна система управління людськими ресурсами)

**IB** – International Baccalaureate

**Moneyval** – Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism

**NATO** – North Atlantic Treaty Organization

**NCTS** – New Customs Transit System (нова митна інформаційна система)

**OECD** – Organisation for Economic Co-operation and Development

**OLAF** – European Anti-Fraud Office (Європейське бюро по боротьбі з шахрайством)

**PPRD East** – Prevention, Preparedness and Response to Natural and Man-made Disasters in the Eastern Partnership Countries

**REMIT** – Regulation on Market Integrity and Transparency (Регламент ЄС 1227/2011 про прозорість оптового ринку електроенергії)

**TEN-T** – Trans-European Transport Network (Транс'європейська транспортна мережа)

**SIGMA** – Support for Improvement in Governance and Management (Програма підтримки вдосконалення врядування та менеджменту)

**SOCTA** – Serious and Organised Crime Threat Assessment

# **Ukraine's progress in implementation of 20 Eastern Partnership deliverables for 2020**

***Monitoring report by the Ukrainian National Platform  
of the Eastern Partnership Civil Society Forum***

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